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AWARD NO. 33/83-84

NAME OF THE VILLAGE	:	BHALSWA JAHANGIRPUR
NATURE OF ACQUISITION	:	PERMANENT
PURPOSE OF ACQUISITION	:	PLANNED DEVELOPMENT OF DELHI.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 2 bighas 3 biswas situated in village Bhalswa Jahangirpur was notified u/s 4 vide notification No.F.11(30)/81-L&B dated 22.12.1981 for a public purpose namely Planned Development of Delhi. The substance of the notification was given due publicity as required under the law. After considering report u/s 5-A of the L.A. Act, the Delhi Administration issued a declaration u/s 6 of the L.A. Act in respect of land measuring 2 bighas 3 biswas situat in village Bhalswa Jahangirpur vide notification u/s 6 No.F.11 (30)/81-L&B dated 5.5.82 for acquisition of the land for the purpose mentioned above.

In pursuance of the above notification, notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons and the claims filed by the claimants/interested persons are discussed hereafter under the heading 'Claims'.

MEASUREMENT & CLASSIFICATION

The area under acquisition as given in the declaration u/s 6 is 2 bighas 3 biswas and were found correct at the time of measurement conducted by the L.A. field staff.

The details of land under acquisition are as under:-

Khasra No.	Area
1191	2-03

The land owners have not raised any objection regarding the measurement & classification of land. At present there is no other alternative left except to agree with the classification & measurement as proposed by the field staff on the basis of

(2)

entries of Khasra Girdawari & other rlevant revenue record at the time of notification u/s 4 of the L.A.Act.

CLAIMS

In pursuance of the notices u/s 9 & 10 the following persons have filed their claims:-

S.No.	Name of the claimant	Kh.No.	Claim	Remarks
1.	Gokal Chand Pradhan Gaon Sabha Bhalswa Jahangirpur	1191	@ Rs.50/- per sq.yd. for the land.	No evidence

MARKET VALUE

The market value of the land under acquisition is to be assessed keeping in view the situation, advantages and potentialities attached to the land on the date of notification u/s 4 of the L.A.Act. The provisions of Delhi Land Reforms Act are also applicable & thus the restrictions contemplated under section 22 and 23 of the Delhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandry etc.

The land acquired in this case relates to Gaon Sabha. The pradhan of Gaon Sabha Bhalswa Jahangirpur has claimed Rs.50/- per sq.yd. but has not produced any documentary evidence in support of his contention. In the absence of any documentary evidence, no reliance can be placed on his claim.

The following awards are reported to have been announced in this villgge:-

S.No.	Award No.	Notification u/s 4	Rate per bigha.
1.	33/78-79	25.3.77	Rs.7000/- per bigha Rs.5000/- per bigha
2.	49/78-79	11.8.78	Rs.5500/- per bigha.
3.	20/79-80	15.2.79	Rs.5500/- per bigha.

It may be pointed out that Kh.No.1191 lies within the land acquired in award No.33/78-79 but somehow it escaped from that notification. Thus, this is a part and parcel of the land acquired in award No.33/78-79. The notification in the present case was issued on 22.12.81 whereas in the above award No.33/78-79, it is 25.3.77. There has been increase in the prices of land during the period of 4 years. Since this land is surrounded by the land acquired in award No.33/78-79, it will be fair and reasonable if the same market value is assessed in the present case as was assessed in award No.33/78-79. I, therefore, assess Rs.7000/- per bigha and award the same accordingly.

TREES WELLS & STRUCTURES

There is no tree, well or structure over the land under acquisition.

SOLATIUM

15% solatium under section 23(1) of the Land Acquisition Act will be paid to the interested persons on the market value of the land for the compulsory nature of acquisition.

POSSESSION

The possession of the land has not been taken over so far by that department.

APPORTIONMENT

The compensation will be paid to the interested persons according to the latest entries in the revenue record. In case of any dispute arising in the apportionment of the compensation the matter will be referred to the court of Additional District Judge, Delhi for adjudication u/s 30-31 of the Act.

LAND REVENUE

Land revenue for ~~ant~~ the land under acquisition is assessed at Rs. ~~Ex~~ Nil which will be deducted from the Khatauni w.e.f. the date of taking over possession.

SUMMARY

Compensation for the land measuring 2 bighas 03 biswas @ Rs.7000/- per bigha	Rs.15,050.00
15% solatium	Rs. 2,257.50
TOTAL	Rs.17,307.50

(Rupees Seventeen Thousand Three Hundred Seven and paise fifty only)

10/9/

(D.B. KUBBA)
LAND ACQUISITION COLLECTOR(N)
DELHI.

10/9/83

Notices u/s 12(2) of the L.A. Act be issued to those persons who are not present

10/9/83